

FRIDAY, JANUARY 22, 1875.

Hutchins proved him-self the master of the House yesterday, but not of the caucus last night.

M. A. Low, of the Hamilton News, and T. D. Neal, of the Bethany Tribune, have been nominated for seats in the Con. Con.

A precious sight of precaution is used to save the State from being committed by the legislative memorial to Congress for militia expenses indemnity, to either an implied or direct admission of liability for such claims.

Col. Bittering's resolution endorsing Grant's course in Louisiana had the effect of putting the Democracy of the House on the record of the backers of the White League and the applauders of their deeds of violence and revolution. That was enough.

We notice that some of our friends seem to be under the impression that the interference of the United States military with the organization of the Louisiana House of Representatives in New Orleans, on the 4th inst., was by the order of Gen. Sheridan. If they will carefully read the recent message of President Grant on these affairs, they will find that General Sheridan did not reach New Orleans until the uproar and confusion was over with and that he had nothing to do with the order, or with the action of the troops.

A great deal of bluster and buncombe is being expended over the interference of the United States military with the organization of the Louisiana House of Representatives. We do not think there would be quite as much of it as there is if the message of President Grant on the subject was more carefully read:

"Respecting the alleged interference by the military with the organization of the Legislature of Louisiana on the 4th inst., I have no knowledge or information which has not been received by me since that time and published. My first information was from the papers of the morning of the 5th of January, I did not know that any such thing was anticipated, and no orders and no suggestions were ever given to any military officer in that State upon that subject prior to the occurrence. I am well aware that any military interference by the officers or troops of the United States with the organization of a State Legislature, or any of its proceedings, or with any civil department of the government, is repugnant to our ideas of government. I can conceive of no case not involving rebellion or insurrection where such interference by the authority of the general government ought to be permitted or can be justified."

Can Gen. Shields or Gov. Reynolds say more and say it better?

In the Democratic caucus Saturday night, Gen. Francis M. Cockrell, of Warrensburg, was nominated for United States Senator to succeed Gen. Schurz. We will state for the information of our readers that this nomination is equivalent to an election. This may be startling, but it is nevertheless true.

The General is a man about forty years of age. He has never filled any position in the civil service of the country. In 1861 he formed a company in Johnson county, where he was born and reared, and went with it as its captain into the Confederate service. From his position as captain of this company he speedily rose to prominence. He was appointed commander of the famous Missouri Brigade, and was with it on many a hard fought field. He especially distinguished himself in this command at the battle of Franklin, Tennessee, where he was twice wounded and taken from the field. As he was a gallant soldier, Gen. Cockrell is a true man, honest and upright. He may always be depended upon. The only special objection to the General that, from our standpoint as a Unionist we would urge, is the record he has made as an antagonist to the perpetuity of the Federal Union. But in his speech before the caucus last night, in accepting his nomination, the General has completely disarmed us of this objection. It was his word, but from a man like Gen. Cockrell it was sufficient. He gave us the eloquent assurance that he would now fight as devotedly for the perpetuity of the Union, under the Stars and Stripes as he had for the triumph of the Confederacy, under the Stars and Bars.

The General will excuse us for noticing however, that however beautiful and glowing the tribute, he paid to the flag of our "common country," his followers had no word of applause for him. But when a respectful mention of the Stars and Bars was made it was wildly cheered. We could but notice this and must be pardoned for its mention.

THE RECENT MESSAGES.

Gov. Woodson, in his message, makes a suggestion in regard to the business of the Supreme Court, which is so eminently commonsensical that we think it ought to entitle him to a new Term as Chief Executive, whenever he may desire it. The suggestion is in the following words:

But the most efficient remedy in your power will be found in passing a law cutting off the right of appeal, or the prosecution of a writ of error to the Supreme Court, in all cases when the amount claimed to be involved does not exceed one hundred dollars. Nearly one half of the cases now on docket under such a law would never have been there, and with such a law for the future, connected with the other provision indicated, viz: one term a year, I am satisfied that the court before a great while will be able to clear the docket and dispose of all the cases pending at each term.

It seems to be a very certain thing that under the present system the Supreme Court must necessarily fall further and further behind the docket. If we were to suggest any change in Gov. Woodson's admirable suggestion, it would be to increase the amount below which no appeal or writ of error should be allowed to more than one hundred dollars.

The Ex-Governor speaks of the "Claim's Commissioners" as follows:

The Commissioners labored with great fidelity during their protracted sessions, and I am satisfied they did all that they possibly could to guard against the allowance of fraudulent claims and at the same time afford strict justice to claimants.

On this proposition some men take issue and would like to see the proof, being perfectly satisfied that no such proof can be made.

Another suggestion made by Governor Woodson is entitled to consideration at the hands of the Legislature and lawyers of the State. It is given in these words:

Once more, I regard it my duty to call the attention of the General Assembly to the fact that there is not an organized militia company in the State, subject to be called upon by the Executive, for any purpose whatever; that there is not one dollar in the treasury, nor has there been during my term of office, that can be used in the organization or employment of the militia when organized.

It has been very commonly supposed that any state has the right to maintain an armed militia. It has been, perhaps, the constant practice of many states to do so. And yet it seems to be certain that every state law, on the subject of the militia is a violation of the constitution of the United States; and that no state has the right to maintain militia. Control of the militia is vested in Congress by the constitution of the United States. Whenever Congress has the right to legislate upon any given subject, and has so legislated, all state enactments on the same subject are nugatory and void—(See 12 Wheat. 19, 273; 16 Peters, 539; 5 Wheat. 1; 4 Wheat. 122.)

The opinion of the Justices of the Supreme Court of Massachusetts, rendered in 1859, (and reported in 14 Gray, 614) seems to be conclusive against the right of any state to maintain a militia for any purpose. This opinion was rendered by Shaw, Bigelow, Metcalf and Hoar, all of them great lawyers.

In our own State in 1860 in pursuance of an ordinance of the State convention, Gov. Gamble proceeded to organize 10,000 militia. This was done under an agreement made with President Lincoln, and approved by the Secretary of War; and after the thing had been accomplished under the sanction of a state convention, Governor Gamble, President Lincoln and the Secretary of War, it was discovered that the whole movement was in violation of the constitution of the United States, and the Governor and the President had to get an act of Congress passed to legalize their unconstitutional organization called "state militia"—(See "memorial of the General Assembly of Missouri;" Laws of Missouri 1863 and 1864.)

It seems to be certain therefore, that a state has no right to maintain a force of militia, and that any act of the Legislature, which could be formed for the purpose of organizing such a force would be unconstitutional and void.

Gov. Hardin makes a valuable suggestion in regard to the reduction of the number of Grand Jurors. The Governor is opposed to "abolishing the system," but does not argue the question. This "Grand Jury" system is the root from which grows nine-tenths of the "costs in criminal cases," with which the state has been so much burdened. It is a mere fossil and incubus and ought to be extirpated. The Governor's suggestion would be a slight mitigation of the evil, and is good as far as it goes; but the system ought to be abolished, and we are satisfied that if the question could be fairly discussed before the people of this state, they would abolish it. It exists because "Time consecrates and what is old becomes religion;" but it is merely an ancient wrong and ought to be righted.

Both Woodson and Hardin have a little

speech to in condemnation of the President's action in the Louisiana matter, perhaps, as Democratic Governors they could not do otherwise. Gov. Hardin speaks on the subject with judicial calmness and severity, and from the stand-point occupied by these distinguished gentlemen, perhaps, their deliberations on the subject ought not to be too severely criticised. But if Gen. Sheridan's official report speaks the truth about the action of the United States forces in that matter, why do they condemn that action? Of course Gov. Hardin's calm and dignified protest is based upon the idea that "the employment of military force" was not "in exact accordance with the constitution of the United States, as construed and understood in our national history;" but is not that the very question at issue? If the troops were employed "in exact accordance with the constitution of the United States," what is there to complain of? Of course every right-minded man must profoundly deplore the existence of a state of facts at New Orleans which would render the interposition of United States troops necessary; but the question is was there a necessity for the interposition of the Federal troops? If Gen. Sheridan's report states the facts correctly, there certainly was such a "necessity;" and that far, at least, the report seems to be fully endorsed by the newspaper accounts of the transaction, for it seems to be true that both parties called upon the Federal authorities to bring in United States troops, each party invoking the aid of the military against the other. Gov. Hardin is far too well versed in law and history to suppose that the real question in the case is whether the military did the right thing after they had interfered; but he knows that the real question is whether they did right in interfering at all, and this question it seems to us is not a very doubtful one. If the facts are (as avowed by Sheridan) that by the confession and application of both parties for aid and protection at the hands of the military, there was an absolute necessity for the intervention of the Federal forces, to prevent anarchy and bloodshed, we can not see that the constitution was violated when the military authorities responded to the call of the proper state officers (as both sides called for military intervention) and while every interference of the military with the civil authorities ought to be watched with the utmost jealousy, we think our Democratic friends ought to ascertain the facts before they protest too vehemently.

Retrenchment.

Editor Journal:

I regret that any democrat, and especially the editor of the Tribune, should oppose the provisions of the bill introduced by Mr. Snider on Saturday, to reduce the salaries of the Governor and other State officers. How they can do so, and maintain their consistency, is more than I can tell. It is well known that when the present salaries of the State officers were raised, in 1868, from a much lower sum than is now paid, that about every democrat in the legislature and every democratic newspaper in the State reprobated the increase as a wanton piece of extravagance of that then Radical body, a measure at once uncalled for and unnecessarily burdensome to our people. It will be remembered, too, that the cost of living was much greater then than now, and our people much more prosperous and able to pay such salaries, than they now are, are likely to be in many years to come. By what system of logic, then, can any democrat arrive at the conclusion, as the Tribune has done, that these salaries "are not too high" now? The cost of living is much less now than it was six or seven years ago. The wages of any kind of labor have been greatly reduced in this length of time. Our farmers, who constitute a large majority of our people, are now, and have been for years, literally overburdened with taxes they can not pay, and hence are found annually petitioning the legislature to relieve them from a part, at least, of their oppressive burdens. Even to day, the legislature is being strenuously urged to postpone the payment of taxes now due, which the farmers in many parts of the State declare, and declare truly, they are utterly unable to pay at present. What kind of democracy is it, then, which will not put these salaries down to a point declared high enough seven years ago? What kind of a democrat is he, who will not aid a democratic Governor to relieve our people from the payment of salaries (and fees as well) believed to be excessive? Gov. Woodson, in his last message, urges upon this democratic legislature to practice retrenchment and reform. Hardin, in his inaugural, his first official paper, does the same thing. That there may be no misunderstanding of what the latter says, and I have no doubt means, I quote from his Inaugural. In speaking of "salaries and fees," he says:

Complaints have been repeatedly made that they are excessive and do not comport with the present value of labor and employment. I invite a consideration of these questions, and if in your better judgment, you should believe that any of them should be curtailed, you ought to apply the legislation. If there is an unnecessary office, clerkship, or employment of any kind, it ought to be dispensed with.

That has the right democratic ring in it. It is to the point. It is manly. It is noble. Gov. Hardin unquestionably means what he says. Reduce "excessive salaries." Abolish "unnecessary offices." To whom and to what offices does he allude in this extract? Certainly not to the clerks, pages and employees of either one or both Houses of the present General Assembly. It is questionable whether he knew when reading his inaugural in the House, how

many clerks, pages and employees there were in them. He certainly did not know their compensation, because it was not then fixed upon. Besides, the "complaints" to which he refers as having been "repeatedly made," were not made against these minor offices, most of which are filled by mere boys. The complaints were made during the canvass preceding the November election, against the excessiveness of salaries which have been paid ever since 1868. The democratic voters were in earnest in making the complaints. They will hold the men elected in November to the pledges they universally made. Let our legislators redeem their pledges as true democrats should and will. FARMER.

Carpet-Bag Churches.

Editor Journal:

In your issue of a recent date there appears under the caption "Church and State" a letter dated January 4, 1875, addressed to Hon. ———

I am not in the habit of replying to anonymous communications, and in the present instance would not depart from my usual course in relation to such matters but for the fact that the communication in question bears the ear marks so plainly of its real author that its paternity is well known to a large number of this community.

Another inducement also which prompts this notice is the fact that a church in this city, which numbers among its members and regular attendants nearly as many as all the other Protestant churches of the city combined, is violently assailed and its pastor shamefully misrepresented; and the facts pertaining to the political faith and proclivities of its church membership so utterly distorted as to demand at least the "cold respect of a passing glance," "only this and nothing more." A mere casual perusal of the letter under consideration will convince any one that it is written by an office-seeker.

From the grace and elegance with which its writer deals with church data it is evident that he is possessed of a thoroughly christian spirit, entirely free from all prejudice, and whose soul is so pure and spotless that when the battle of life is ended it will, like the morning star, "melt away into the light of heaven." So much of the pure essence of brotherly love and christian charity should not be allowed to blush unseen and waste its fragrance on the desert air, and hence we are glad to see this brilliant light of the 19th century, gleam and we may say amply rewarded by the present General Assembly of Missouri.

The gentleman says, in his characteristic style, that he seldom places a proposition before him without a fact behind him.

We will say here, parenthetically, that in this case the fact is so very far behind him as not to be within the range of vision to the naked eye.

And thereupon he proceeds to exhibit a sore head of two years' standing, evidently a chronic case, and informs the Hon. ——— that somebody belonging to the Methodist church, South, desired to be chaplain of the prison under the Woodson administration and could not. In a spirit of christian elegance seldom witnessed here below, he then proceeds to descant upon the horrible and altogether astounding fact that the Carpet-Bag church, in other words the First Baptist church, of this city, asked for the place and received it.

Following up this brilliant line of argument like a valiant general in the flush of victory, he startles the world with the ponderous announcement that the warden was of that church, his deputy the same, chaplain, gate-keeper and four more were of the same Radical church.

The foregoing is a sample of the slang which we have heard so long from the filthy lips of cross-road politicians, but which we have seldom seen hurled in the name of religion at one of the largest and most respectable church memberships of the nation. It is a fact which I apprehend will not be seriously disputed, that the Baptist Church, as a body, is as free from political discussion as any church in the land, North or South. In their church relations the members of that denomination equally recognize the right of all to their own political faith and opinions, and the high and holy ordinance of the church denomination are never invoked in aid of a scramble for political office. We regret that as much as this can not truthfully be said of the church to which the writer of the letter to Hon. ——— evidently belongs. The whole tone and tenor of that letter convinces us of the truth of Shakespeare's saying, to wit: "A man may steal the livery of Heaven to serve the devil in."

A CARD FROM A. M. LAY.

JEFF. CITY, MO., January 14, 1875.
To the Voters of the 27th Senatorial District:

FELLOW-CITIZENS: Appearing before you as a candidate to represent you as one of your delegates in the Constitutional Convention, called to meet on the first Wednesday in May next, and the time being too short for me to have an opportunity of meeting or addressing you before the election, I take this, as the most available method, of making known to you, the position I occupy. It would be impossible for me to anticipate or discuss the many questions that may possibly come before the convention, and I shall only aim to indicate in general terms the views and principles that will govern my action, if elected.

In the first place, it may be proper to remark that while I am a Democrat, and one of the nominees of a democratic convention of this district, I do not understand that it is the purpose of the party to which I belong, to give to the action of this convention, when assembled, any partisan character or bias. Such I assure you is not my desire, and I feel assured that the perpetration of party ascendancy or the accomplishment of party aims, are not the objects that ought or will engage the attention of this body. In my judgment it has a much higher and broader duty to perform, and one that looks to

the interests, not of a party alone, but of the whole people. I am free to admit, that in so far as the new constitution that may be framed, shall seek to enunciate the general principles on which the government of this State is and ought to be founded, I expect and believe it will be in harmony with the theory of government as held by the democratic party.

But, in so far as it shall seek, as I trust it will, by wise provisions, to establish justice, to insure the public peace, to define and limit the powers of government, to enforce the performance of official duties, and limit the authority of officials, to secure more faithful and economical administration of public affairs, thus providing for the general welfare and assuring to us and to those who come after us, the blessings of a free government for all time to come, I believe it should be framed in the interest of the whole people, without regard to party. To do otherwise would, in my judgment, tend to destroy the fundamental idea upon which all good government is based, and pervert the very object and purpose for which it is organized. In respect to the organic law, or for that matter, in respect to all law, I believe that each citizen of the State has a right to expect and demand that it shall be so constituted as to afford to him the same advantages, safety and protection that it affords to all others. My convictions on this subject are well settled, and I shall carry them with me into this convention, if elected, and endeavor to act them out there.

In regard to the present Constitution, although not devoid of wise provisions, it is generally conceded that it does not meet the present views or wants of the people. Whatever is good in it ought to be retained, and I think it should only be altered where it is manifest that the welfare or safety of the people require it.

It is universally admitted, I believe, that the stability and purity of a government like ours, depends largely, if not entirely, on the intelligence of the people; and a wise policy would seem to dictate that a liberal provision should be made by law, for the education of those who control the destinies of the State. Entertaining this view myself I would not favor any change in the organic law of the State calculated to impede the course of popular education, or divert from its legitimate purpose any portion of our school fund. I may say further, that considering the financial condition of the State and people, I would not sanction the removal of any of the barriers which now stand in the way of an increase of the indebtedness of the State, counties, cities and townships, but would rather favor additional safeguards to the people in this respect.

In conclusion, permit me to say, that all my sympathies and interests are identified with the welfare and prosperity of the people of Missouri. I am aware that the place for which I have been nominated, involves in it the highest and most unselfish duty a citizen can be called upon to perform. I fully appreciate its responsibilities and only regret that I can not bring to the position a larger experience and greater ability than I possess.

But I pledge myself to the people of this district, and of the entire State, that if elected, I will enter upon the discharge of my duties with an honest and sincere purpose to serve them faithfully and well; and that whatever ability I possess will be constantly and earnestly exerted to give to the people of this State a Constitution that will promote the welfare and secure the liberty of all justify.

A. M. LAY.

A Prize Declaration For Sure.

Mayr Brown is certainly a persuasive speaker. There is honey on his tongue and logic in his arguments. A few evenings since he entertained a democratic audience at the Capitol with a characteristic speech. It was in the prize declamation arena, with the United States Senate for the goal. The Mayor commenced by illustrating what a consummate success he was as a democratic candidate for Mayor of St. Louis, and concluded by showing what an awful clever fellow he was.

"Four years ago" was his language as near as we can get it, "I was the democratic candidate for Mayor of St. Louis and was elected by hundred-fifty hundred majority." No idea can be given of the consummate satisfaction with this was said. It was so easy and bewitching, you know.

"Two years subsequently I was a candidate again," says his Honor. "And opposed to me were the radicals and an infamous railroad monopoly. Perhaps however," said this Modern Chesterfield, "I should say railroad corporation in the presence of my friend Tom Allen. I was elected by 5000 majority. They used a great deal of money. I used some." And how completely was the *appropos* was the peroration, which immediately followed. "Gentlemen of the General Assembly, I shall be pleased to make your acquaintance. Come and see me. If you can not do so here, come and see me in St. Louis and always with an eye to the main chance." This was greeted with a round of applause.

IMPORTANT LITIGATION.

A case involving a large amount of property, was argued and submitted for final decision in the Supreme Court yesterday. It comes from the Circuit Courts of Kansas City, and arises on the question of the will of Nancy Gillis, a wealthy Indian woman. It seems that Wm. Gillis, a white man was married in 1830 to Ketchikan, the daughter of Lulashat, Chief of the Pankasho Indians, and that the sole issue of the marriage was Nancy Gillis, who, at the death of her parents, was the only heir to their large property, which at her death, she willed to her two children, Francis Boyer and James Charley by her first and second husbands. The property is all situated in Kansas City, and is valued at \$400,000. The heirs are half-breed Indians. Hon. George G. Vest made an able argument in their behalf. Hon. F. M. Black appeared for defendant.

Several Democratic papers are complimenting the appointments of the Governor thus far. This is the voice of the politicians for the ear of the public, and comes very far from sounding like the fulminations of those we hear talk on the street. One prominent politician was heard to say that the Police Commissioner appointments would loose the city of St. Louis to the Democratic party, and so they go.